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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ
& HON'BLE SHRI D.R. DESHMUKH, J.

Writ Petition No.611 of 2004

PETITIONER Prakash Tiwari, son of late Mahendra Dutt Tiwari, aged about 52 years, resident of Bada Bazar, Chirmiri, Distt. Koriya.

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through the Secretary, Ministry of Environment & Urban Development Department, DKS Bhawan, Raipur [C.G.]
2. The Collector, Distt. Koriya
3. The Commissioner, Municipal Corporation, Chirmiri, Distt. Koriya

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Present: None present on behalf of the petitioner.
None present on behalf of the respondents.

ORAL ORDER
(Passed on 23rd August, 2006)

The following oral order of the Court was passed by

S.R. NAYAK, CJ .

In this writ petition, a direction is sought to the respondents/State authorities to conduct election to the Municipal Corporation, Chirmiri, the 3rd respondent herein. The 3rd respondent has filed the return. In the return dated 23-06-2006, it is stated that the election to the Municipal Corporation, Chirmiri was held in the month of December 2004 and the newly elected body assumed the office on 10-01-2005 itself. What is stated in para 2 of the return is not denied before us by the petitioner. In that view of the matter, granting relief to the petitioner as sought for would not arise. In other words,

the writ petition has become infructuous. Writ Petition No.611 of 2004 is, therefore, dismissed as infructuous. No costs.

Sd/-
Chief Justice
Judge

Sd/-
Dilip Raosaheb Deshmukh
Judge